

REMARKS/ARGUMENTS

The objection to claim 2 is avoided by incorporating the suggested change. Small changes were also made to other claims.

Claim 1 is amended based on second paragraph of page 40. Accordingly, claim 5 is cancelled. New claim 10 is based on the disclosure at pages 10 and 40 and contains the particle size limitation added to claim 1.

Claims 1-9 are rejected over Ichinose (EP 1016542) in view of Cheng et al (US 6,239,193).

Ichinose et al. fails to disclose that the ink contains nonionic resinous micro-particle as the Examiner states. Regarding the nonionic resinous micro-particles, the Examiner recognizes that Cheng at al. teaches that to get the water fast, light fast and bleed free printed image, ink composition includes nonionic resinous micro-particles, and that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ink composition of Ichinose at al. by the teaching of Cheng at al.

Claim 1 described above specifies the average particle diameter of the nonionic resinous micro-particles of 50 to

150 nm. New claim 10 has the same requirement. This limitation of the average particle diameter is not within the range of 200 to 500 nm (0.2 to 0.5 micron) disclosed by Cheng et al.

The invention of claims 1 and 10 results not only in excellent glossiness, ink absorption property and bleeding but also excellent gas fading resistance. Concerning gas fading resistance, neither Ichinose et al. nor Cheng et al show or suggest a relationship between particle diameter and gas fading resistance. More specifically, neither show or suggest that limiting the average particle diameter to 50 to 150 nm results in excellent gas fading resistance.

As shown in Comparative Tests reported in Table 1 of the enclosed DECLARATION, it is clearly demonstrated that the result of each measurement and evaluation is excellent when the average particle diameter of the nonionic resinous micro-particles is 50 to 150 nm. That is to say, the comparative tests show the specific range of the average particle diameter of the nonionic resinous micro-particles result in unexpected effect which has not been obvious to a person having ordinary skill in the art.

In view of the above, it is submitted that one of ordinary skill in the art would not reach the invention of claim 1 by

Appl. No. 10/723,663
Reply to Office Action of December 12, 2005

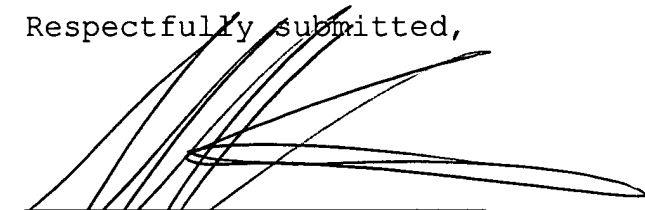
referring to Ichinose et al. and Cheng et al, in combination, because neither reference discloses the claimed limitation and the unexpected results obtained by limiting the particle size.

The other claims 2 - 9 depend from claim 1 and the new independent claim 10 (which includes the size limitation along with a further step of forming a film) should be novel and unobvious for the same reason.

Reconsideration of the reasons for rejection in view of the above arguments, and allowance of the application are requested.

Frishauf, Holtz, Goodman
& Chick, P.C.
220 Fifth Ave., 16th Floor
New York, NY 10001-7708
Tel. No. (212) 319-4900
Fax No.: (212) 319-5101
MJC/ld

Respectfully submitted,



MARSHALL J. CHICK
Reg. No. 26,853

Enc. EXECUTED DECLARATION OF SHINICHI SUZUKI dated March 3, 2006